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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/518,636 | 03/03/2000 | Hideyuki Makitani | 35.G2546 | 5830 |
| 5514 | 7590 | 01/03/2007 | EXAMINER | |
| FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112 | | | POON, KING Y | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2625 | |

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
|--|------------|---------------|
| 3 MONTHS | 01/03/2007 | PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

| | | |
|------------------------------|--------------------------|--------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/518,636 | MAKITANI, HIDEYUKI |
| | Examiner King Y. Poon | Art Unit 2625 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed, after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 10 October 2006.

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1,2,6,7,15,16 and 27 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1,2,6,7,15,16 and 27 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 03 March 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.

5) Notice of Informal Patent Application
6) Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 6, 7, 15, 16, 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Otsuka (US 5,579,126) in view of Yokota (US 5,598,533) and Larson et al (US 5,825,854).

Regarding Claims 1, 6: Otsuka teaches an apparatus (PC1, fig. 1) connected to an external printing apparatus (50, fig. 1) via a network column 3, lines 45-50), said apparatus comprising: generation means for generating an image (inherent properties of a PC); determining means (the program of the PC that determines the request code of 602, fig. 9, column 11, lines 10-15) for determining whether or not the selected external printing apparatus needs input of user management information (user name or password, of fig. 9) is necessary from the selected external printing apparatus (note); input control input means (the program that accepts user input of management information of column 11, lines 10-15 or display command) for controlling the input of the user management information so as to be inputted, when the result of the determination indicates affirmative; output means (the program of the PC that transmits the entered user name to the fax machine, column 11, lines 10-16) for outputting the inputted user management information to the selected external printing apparatus;

reception means (the computer program that received and decode the displayed message 606, fig. 9, column 11, lines 30-35) for receiving, from the selected external printing apparatus, availability information indicating whether or not the using of the selected external printing apparatus is allowed, wherein the availability information is determined based on the output of the user management information (fig. 9) for using the selected image forming apparatus based on the output of the user management information; and transmission control means (the PC program that transmitted the document filed to be printed by the fax machine, column 13, lines 12-30) for controlling transmission such that the generated image signal is transmitted to the selected external printing apparatus, when the availability information indicates affirmative.

Otsuka does not teach the PC can be modified into an image reading apparatus.

However, Yokota in the same area of PC transmitting signal to an image forming apparatus, teaches it is well known in the art to connect a PC to a scanner to form an image reading apparatus (column 12, lines 30-37).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka to include: to connect the PC with a scanner to form an image reading apparatus such that users can easily scanned in document of picture to PC for editing or transmitting those document to a remote friend or location or to a printer to print.

Otsuka also does not teach the PC is connected to a plurality of image forming apparatus and selecting one of the image forming apparatus to received the generated image.

However, Larson, in the same area of computer connected to image forming apparatus, teaches it is well known in the art to connect a computer to a plurality of fax machine for printing (column 3, lines 50-55, column 4, lines 40-47).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka to include: the PC is connected to a plurality of image forming apparatus and selecting one of the image forming apparatus to received the generated image.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka by the teaching of Larson because: 1) it would have allowed the system of Otsuka to operate if the fax machine is broken, such modification would benefit a large company such that the large company can continue to operate normally; and 2) it would have allowed the system of Otsuka to operate at a high speed for the PCs of Otsuka would have to wait for one fax machine.

Note: After combining Otsuka and Larson, the computer is connecting to many fax machines/printers. Larson teaches the type of fax machine, which is traditionally type which does not require user password for sending print documents (column 4, lines 40-46). Otsuka teaches a type of fax machine that requires a user password.

Therefore, the receiving of the password request from the fax machine would indicates that the fax machine would require a password (after combining Otsuka and Larson) and when a fax machine does not require password, the computer would not have received the password required.

Furthermore, column 11, lines 45-50, Otsuka teaches the log in procedure is not required every time the computer and the fax machine communicates. Therefore, it would have been obvious that the computer does not receive log-in request from the fax machine if the computer has already been log-in to the fax machine. Input of user information is required or not is determined by receiving or not receiving log-in request and procedure of fig. 9 is determined to be carried out or not carried out by the computer.

Regarding claims 2, 7: Otsuka teaches wherein said transmission control means compresses the image signal prior to transmitting the image signal (column 8, lines 20-26).

Regarding claims 15, 16: Otsuka teaches a computer readable memory (ROM, column 4, line 8) storing a program with code for controlling the image reading apparatus discussed in claims 1, 6.

Regarding claim 27: Otsuka teaches the management information relating to a user includes at least one of a user ID, a division ID, or a title ID for the authentication at the selected external printing apparatus (column 11, lines 10-16).

3. Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Otsuka (US 5,579,126) in view of Yokota (US 5,598,533) and Larson et al (US 5,825,854), as applied to claim 1 above, and further in view of Kuo (US 5,295,181)

Regarding claim 26: Otsuka does not teach wherein the selection means selects the external printing apparatus according to the generated image signal.

Kuo, in the same area of fax, teaches it is well known in the art that selection means selects the external printing apparatus according to the generated image signal (column 5, lines 5-20).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka's communication apparatus to include the selection means selects the external printing apparatus according to the generated image signal.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka's communication apparatus by the teaching of Kuo because: it would have allowed the system to automatically transmit images to destination, it would have reduce the work of users; and it would reduced errors through automation.

Response to Arguments

4. Applicant's arguments filed 10/10/2006 have been fully considered but they are not persuasive.

With respect to applicant's argument that Otsuka does not teach determining means for determining whether or not the selected external printing apparatus needs input of user management or input control means for controlling the input of the user management information so as to inputted, when the result of the determination indicates affirmative; has been considered.

Art Unit: 2625

In reply: Otsuka teaches an apparatus (PC1, fig. 1) connected to an external printing apparatus (50, fig. 1) via a network column 3, lines 45-50), said apparatus comprising: generation means for generating an image (inherent properties of a PC); determining means (the program of the PC that determines the request code of 602, fig. 9, column 11, lines 10-15) for determining whether or not the selected external printing apparatus needs input of user management information (user name or password, of fig. 9) is necessary from the selected external printing apparatus (note); input control input means (the program that accepts user input of management information of column 11, lines 10-15 or display command) for controlling the input of the user management information so as to be inputted, when the result of the determination indicates affirmative.

Otsuka also does not teach the PC is connected to a plurality of image forming apparatus and selecting one of the image forming apparatus to received the generated image.

However, Larson, in the same area of computer connected to image forming apparatus, teaches it is well known in the art to connect a computer to a plurality of fax machine for printing (column 3, lines 50-55, column 4, lines 40-47).

Therefore, it would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka to include: the PC is connected to a plurality of image forming apparatus and selecting one of the image forming apparatus to received the generated image.

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to have modified Otsuka by the teaching of Larson because: 1) it would have allowed the system of Otsuka to operate if the fax machine is broken, such modification would benefit a large company such that the large company can continue to operate normally; and 2) it would have allowed the system of Otsuka to operate at a high speed for the PCs of Otsuka would have to wait for one fax machine.

Note: After combining Otsuka and Larson, the computer is connecting to many fax machines/printers. Larson teaches the type of fax machine, which is traditionally type which does not require user password for sending print documents (column 4, lines 40-46). Otsuka teaches a type of fax machine that requires a user password.

Therefore, the receiving of the password request from the fax machine would indicates that the fax machine would require a password (after combining Otsuka and Larson) and when a fax machine does not require password, the computer would not have received the password required.

Furthermore, column 11, lines 45-50, Otsuka teaches the log in procedure is not required every time the computer and the fax machine communicates. Therefore, it would have been obvious that the computer does not received log-in request from the fax machine if the computer has already been log-in to the fax machine. Input of user information is required or not is determined by receiving or not receiving log-in request and procedure of fig. 9 is determined to be carry out or not carry out by the computer.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to King Y. Poon whose telephone number is 571-272-7440. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on 571-272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

December 19, 2006



KING Y. POON
PRIMARY EXAMINER